

*SWB  
P1  
CONI*  
~~a first layer, closest to the individual, the first layer being an inner moisture transfer material;~~

*E1  
Contd*  
~~a second layer, abutting the first layer, including a foam material;~~

~~a third layer, abutting the second layer, including a breathable membrane; and~~

~~a fourth layer, abutting the third layer, the fourth layer being an outer moisture transfer material treated by encapsulation for waterproofing.~~

*SWB  
P3*  
~~8. (Amended) A moisture transfer apparel to be worn by an individual comprising, on at least a portion of the apparel, a combination of layers comprising:~~

~~a first layer, closest to an individual, the first layer being an inner moisture transfer material;~~

*E2*  
~~a second layer, abutting the first layer, including a foam material; and~~

~~a third layer, abutting the second layer, the third layer being an outer moisture transfer material treated by encapsulation for waterproofing,~~

~~wherein the second layer includes a non-woven material attached to the foam material such that it is between the foam material and the third layer.~~

E3  
20. (Amended) A moisture transfer apparel comprising on at least a portion of the apparel, a combination of layers comprising:

a first layer, closest to an individual, the first layer being an inner moisture transfer material; and

a second layer, abutting the first layer, comprising an outer moisture transfer material that is treated with encapsulation for waterproofing.

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E4  
25. (Amended) A moisture transfer apparel according to claim 8, wherein the foam material is treated to have reversible enhanced thermal properties.

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Sub F1  
E5  
29. (Amended) An apparel to be worn by an individual comprising:

an outer fabric layer treated by encapsulation for waterproofing;

a foam layer abutting the outer fabric; and

a non-woven material attached to the foam layer such that the foam layer is located between the non-woven material and the outer fabric, wherein the foam layer is an open cell foam and is treated to have reversible enhanced thermal properties.

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31. (Amended) An apparel to be worn by an individual comprising:

an inner moisture transfer material;  
an open cell foam treated to have reversible enhanced thermal properties abutting the inner moisture transfer material;

a breathable membrane abutting the open cell foam; and

*65*  
an outer moisture transfer material abutting the breathable membrane, the outer moisture transfer material being treated by encapsulation for waterproofing.

32. (Amended) An apparel to be worn by an individual comprising:

an inner moisture transfer material;  
an open cell foam treated to have reversible enhanced thermal properties abutting the inner moisture transfer material;

a breathable membrane abutting the open cell foam;  
an outer moisture transfer material abutting the breathable membrane; and

wherein the outer moisture transfer material is an encapsulated cotton blend.

34. (Amended) An apparel according to claim 31, wherein  
the outer moisture transfer material is one of a group  
consisting of denim and chino fabrics.

36. (Amended) An apparel to be worn by an individual  
comprising:

an outer moisture transfer material which is treated  
by encapsulation for waterproofing; and  
a cellular elastomeric composite which includes a  
hydrophilic open cell foam backed by a non-woven top sheet.

38. (Amended) An apparel to be worn by an individual  
comprising:

an outer moisture transfer material;  
a cellular elastomeric composite which includes a  
hydrophilic open cell foam backed by a non-woven top sheet;  
wherein the foam is treated to have reversible  
enhanced thermal properties; and  
wherein the outer moisture transfer material is an  
encapsulated cotton blend.

40. (Amended) An apparel according to claim 36, wherein  
the outer moisture transfer material is one of a group  
consisting of denim and chino fabrics.

*SJP  
FB*

41. (Amended) An apparel to be worn by an individual comprising:  
an outer fabric layer which is treated by encapsulation for waterproofing;  
a foam layer abutting the outer fabric; and  
a non-woven material attached to the foam layer such that the foam layer is located between the non-woven material and the outer fabric layer, wherein the foam layer is treated with microencapsulation technology which can adjust to temperature changes.

*E9  
Cited*

42. (Amended) An apparel according to claim 41, wherein the outer fabric layer is an encapsulated cotton blend.

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44. (Amended) An apparel according to claim 41, wherein the outer fabric layer is one of a group consisting of denim and chino fabrics.

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REMARKS

Claims 1, 8, 20, 25, 29, 31, 32, 34, 36, 38, 40-42 and 44 have been amended. Claims 5, 6, 11, 12, 33, 35, 39 and 43 have been canceled without prejudice or disclaimer. Accordingly, claims 1-4, 7-10, 13, 16, 20-32, 34, 36-38, 40-42 and 44 are currently pending in the application.